

Exhibit "E" Duplicity

Indictment

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

APR 30 2003

UNITED STATES OF AMERICA

v.

WENDALL JEFFERSON

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

11) 801
) CR. NO. 03-63-E
) [18 USC 922(g)(1);
) 18 USC 924(C)(1)(A)(i);
) 21 USC 841(a)(1);
) (b)(1)(C) and (b)(1)(A)(iii)
)
) SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT 1

On or about the 6th day of December, 2002, in Phenix City,
Alabama, in the Middle District of Alabama, the defendant,

WENDALL JEFFERSON,

defendant herein, having been previously convicted in a court, of
a crime punishable by imprisonment for a term in excess of one
year, to-wit: Assault first degree in the Circuit Court of Russell
County (CC 97-529), knowingly and willfully possessed a firearm, in
and affecting commerce, that is an AA ARMS, model AP9, 9mm, semi-
automatic, pistol, serial # 039872, and ammunition, in violation of
Title 18, United States Code, Section 922(g)(1).

COUNT 2

On or about the 6th day of December, 2002, in Phenix City,
Alabama in the Middle District of Alabama, the defendant,

WENDALL JEFFERSON,

defendant herein, having been previously convicted in a court, of
a crime punishable by imprisonment for a term in excess of one
year, to-wit: Assault first degree in the Circuit Court of Russell

County (CC 97-529), knowingly and willfully possessed firearms, in and affecting commerce, that is a SWD, model M11, 9mm, semi-automatic pistol, serial # 89-0063823 and an L.C. SMITH, model Field Grade, 20 gauge shotgun, serial #FWS9738, and ammunition, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 3

BOUSLEY v. US - 1498 523 US 614 140 LEd 2d 828 118 SCt 1604

On or about the 6th day of December, 2002, in Phenix City, Alabama in the Middle District of Alabama, the defendant,

WENDALL JEFFERSON,

defendant herein, did knowingly and intentionally possess with intent to distribute a mixture containing cocaine, a schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1). *Trace amounts of Cocaine hydrochloride.*

*COUNT 4 *Duplicate*

On or about the 6th day of December, 2002, in Phenix City, Alabama in the Middle District of Alabama, the defendant,

WENDALL JEFFERSON,

defendant herein, knowingly used, carried, and possessed a firearm, namely an AA ARMS, model AP9, 9mm, semi-automatic, pistol, serial # 039872, during and in relation to, and in furtherance of, a drug trafficking crime for which he may be prosecuted in a court of the United States, to-wit: possession of cocaine with intent to distribute cocaine in violation of Title 21, United States Code, Section 841(a)(1), all in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 5

On or about the 6th day of December, 2002, in Phenix City, Alabama in the Middle District of Alabama, the defendant,

WENDALL JEFFERSON,

defendant herein, did knowingly and intentionally possess with intent to distribute 50 grams or more of a mixture or substance containing cocaine base, a schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

~~*~~COUNT 6 *Duplicity*

On or about the 6th day of December, 2002, in Phenix City, Alabama in the Middle District of Alabama, the defendant,

WENDALL JEFFERSON, [§]_{(b)(1)}

defendant herein, knowingly used, carried, and possessed a firearm, namely a SWD, MODEL M11, 9mm, semi-automatic pistol, serial # 89-0063823 and an L.C. SMITH, model Field Grade, 20 gauge shotgun, serial #FWS9738, during and in relation to, and in furtherance of, a drug trafficking crime for which he may be prosecuted in a court of the United States, to-wit: possession of cocaine base with intent to distribute cocaine base in violation of Title 21, United States Code, Section 841(a)(1), all in violation of Title 18, United States Code, Section 924(c)(1)(A).